



EPA Region 8 and Park City—Upper Watershed Issues

February 9, 2011

Denver, CO



EPA Region 8 and Park City—Upper Watershed Issues

February 9, 2011
Denver, CO

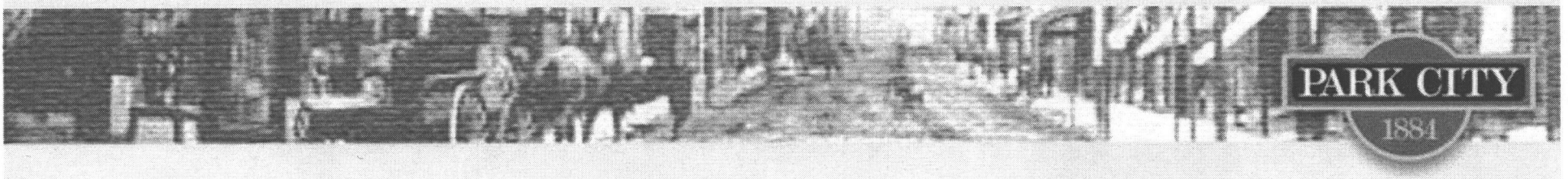
An Active Half Year

- RF repository closed to Park City
- Park City repository work plan
- Multi-party negotiations on OU3
- Multi-party negotiations on OU3 and 4
- The entire watershed



The Entire Watershed?

- **UPCM and EPA demand Park City waive claims for matters outside the scope of proposed Multi-Party agreement without a resolution of the issues.**
- **Park City was told Judge and Spiro are outside the scope of the Multi-Party negotiations.**
- **Municipal drinking water sources.**



Upper Watershed Issues

- **UDEQ Innovative Assessments**
- **Park City Norwest Study**
- **EPA Tetra Tech Study**
- **CWA Industrial Stormwater**





Park City GIS Viewer

Legal Department Service for Environmental Data

Current Action: Re-center Map



Prospect



POWERED BY
ESRI

1881

UDEQ Innovative Assessments 1998-2000

1. Silver King Mill Innovative Assessment

- Silver Creek / Drinking Water Source Protection Zone pg. 3-4
- Exposed tailings, dumps and sediment contamination, especially Woodside Gulch.
- As 675 ppm Pb 10,200 ppm. pg. 5; Positive/Circumstantial Evidence of Surface water contamination. PA pg. 4
- Preliminary Assessment Recommends CERCLIS listing.
- Park City is unaware of any action taken at this site.

2. Treasure Hollow Innovative Assessment

- East Canyon Creek/Drinking Water Source Protection Zone. pg. 4-5
- Possible groundwater contamination pg. 3-4
- Preliminary Assessment Recommends CERCLIS listing.
- Park City is unaware of any action taken at this site.



UDEQ Innovative Assessments 1998-2000

3. California/Comstock Innovative Assessment

- East Canyon Spiro Tunnel Drinking Water Source Protection Zone pg. 3-4
- “A stream from an abandoned mine shaft flows through fine grained mill tailings before disappearing underground.” pg. 4
- As 185 ppm Pb 15,800 ppm. pg. 5
- Preliminary Assessment Recommends CERCLIS listing.
- Park City is unaware of any action taken at this site.

Additional Similar Innovative Assessments

4. Ontario Mine
5. Ontario Mill



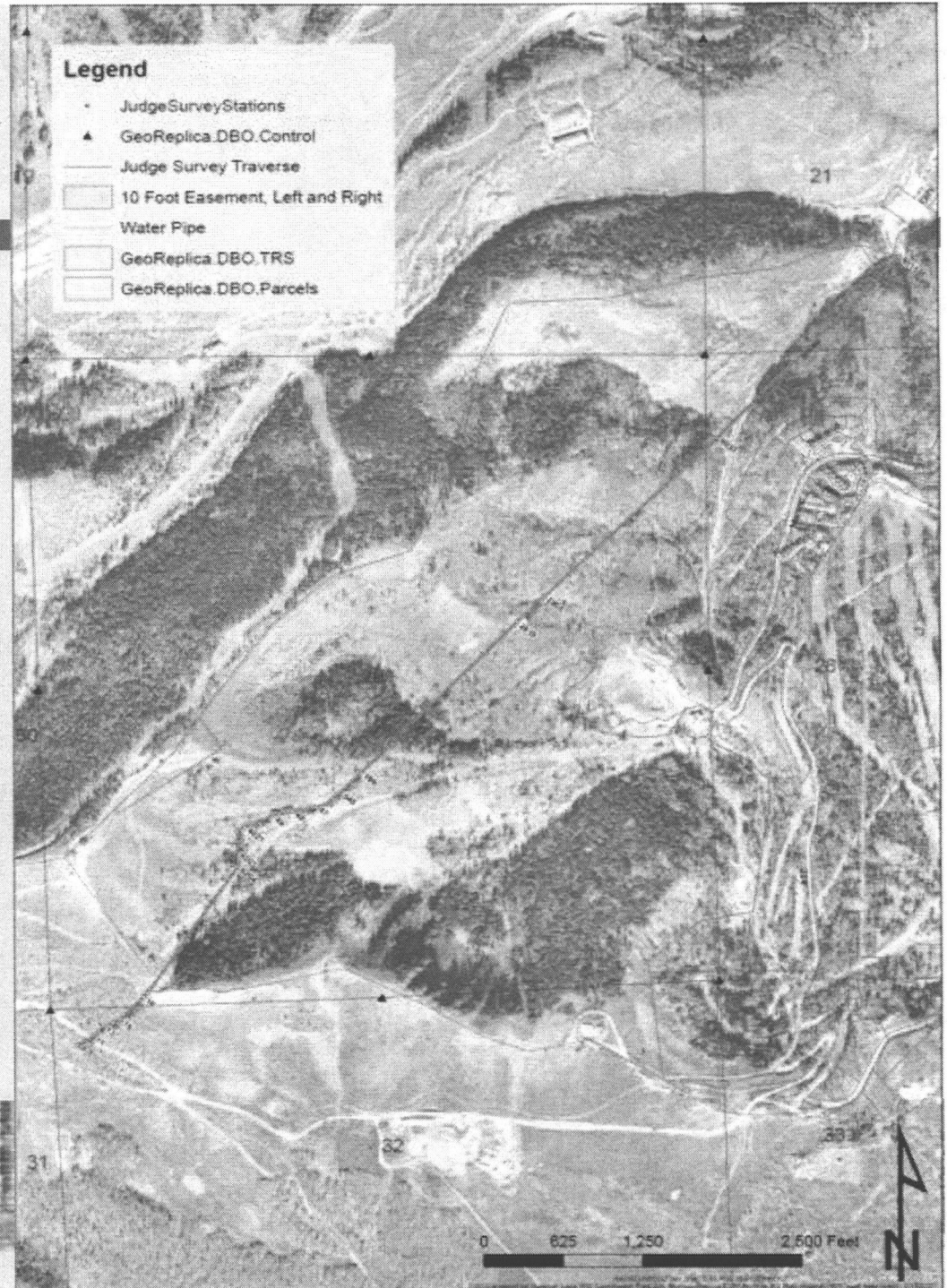
Park City Northwest Study

- **Completed @ Judge in 2009, @ Spiro in process.**
- **Identifying pollutant loading occurring outside of our easements.**
 - **Assist in UPDES Permitting/Drinking water improvement.**
 - **Identify discharges outside of our “ownership/control” and evaluate cost-recovery alternatives.**



Judge Easement

- PCMC control limited by 1975 Easement Agreement.
- “[The Judge] shall not be utilized by City or others in such a manner as will interfere with exploratory, development, mining of other operated conducted by [UPCM]” pg. 7 1975 Easement.



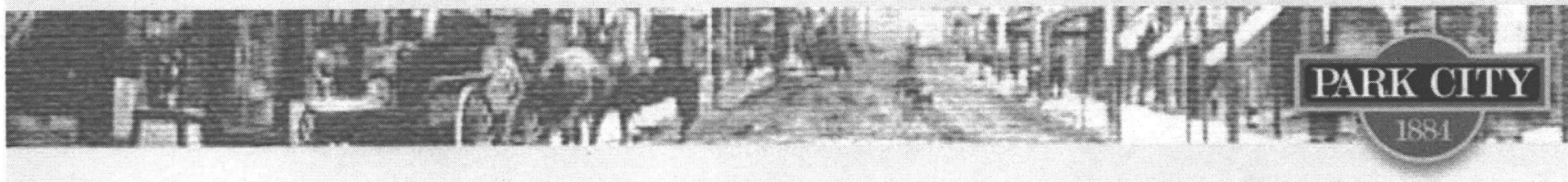
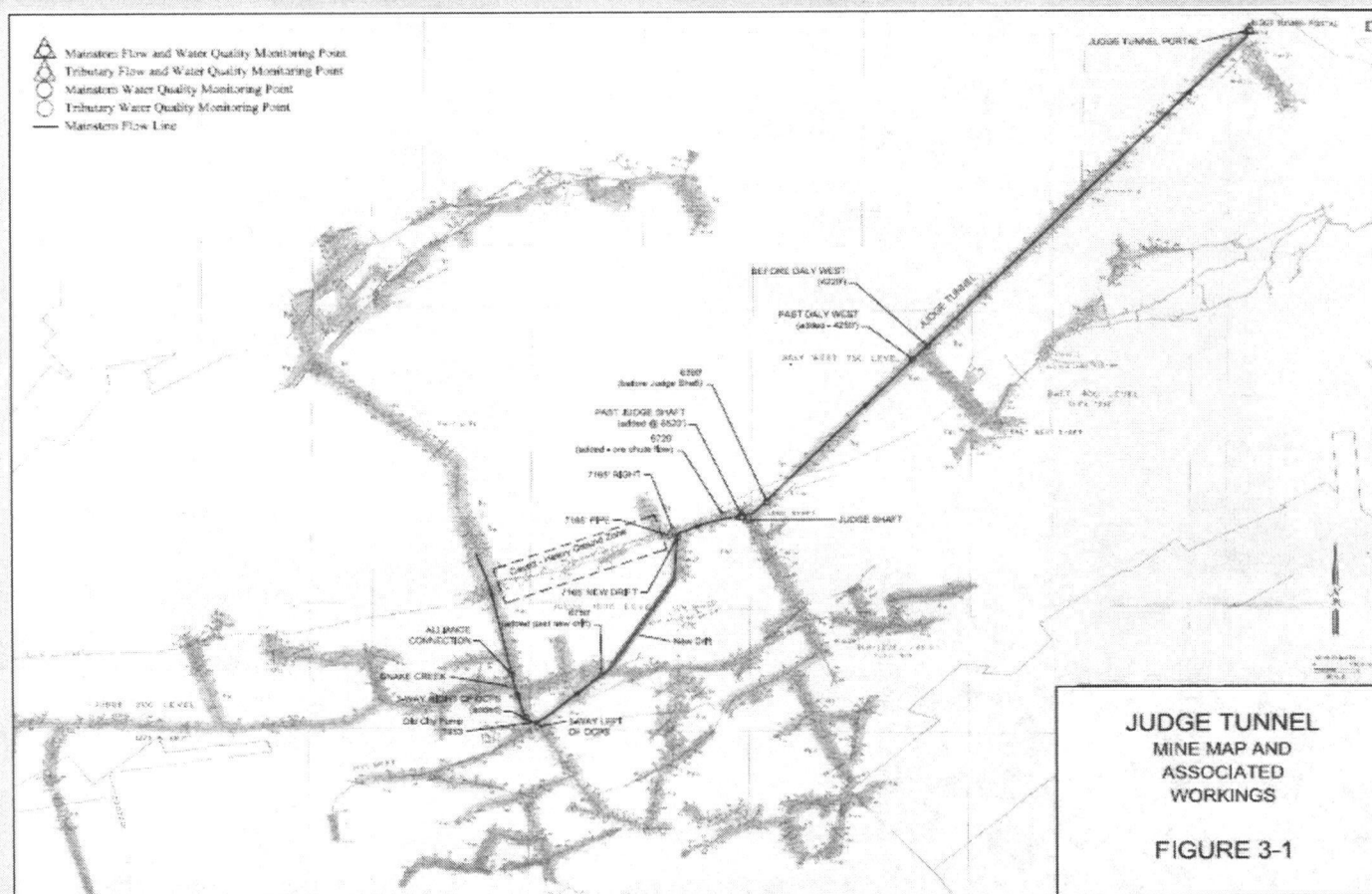
Judge Easement

United Park hereby notifies Park City that the construction of a bulkhead and pipeline in the Judge Tunnel as set forth in the staff recommendations to City Council will interfere with the operations of United Park. The recommendations of City staff as currently proposed will violate both the spirit and the letter of the Judge Tunnel Agreement.

UPCM Letter to Bradley A. Olch, Mayor and
Toby Ross City Manager dated October 19,
2001.



UPCM Control Outside Easement

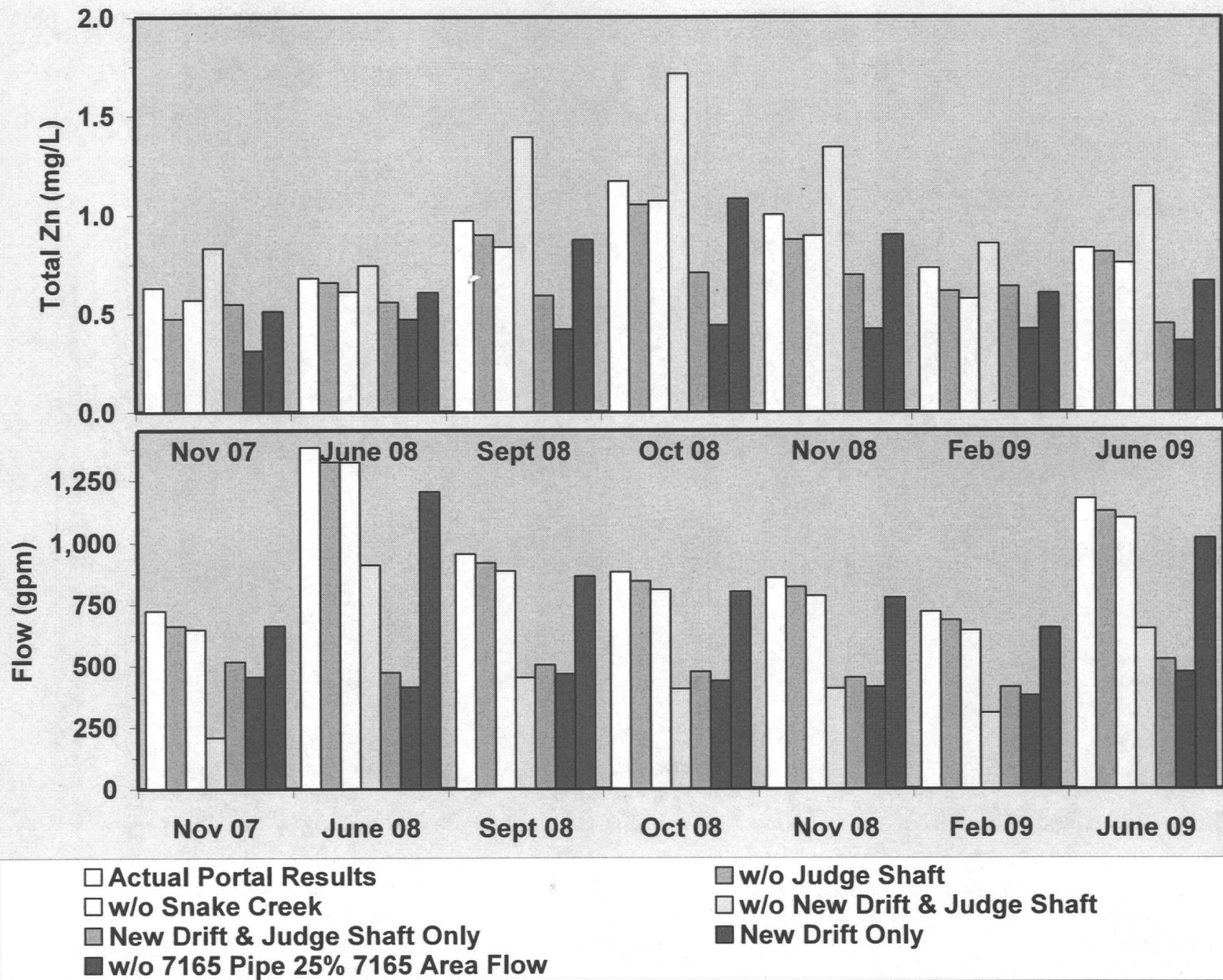


Example Judge--7165 Pipe

**~ 5% of total flow, high
concentrations
of Zinc and Cadmium**

**Outside of Park City's
Control/Easement**





Empire Canyon Waterworks

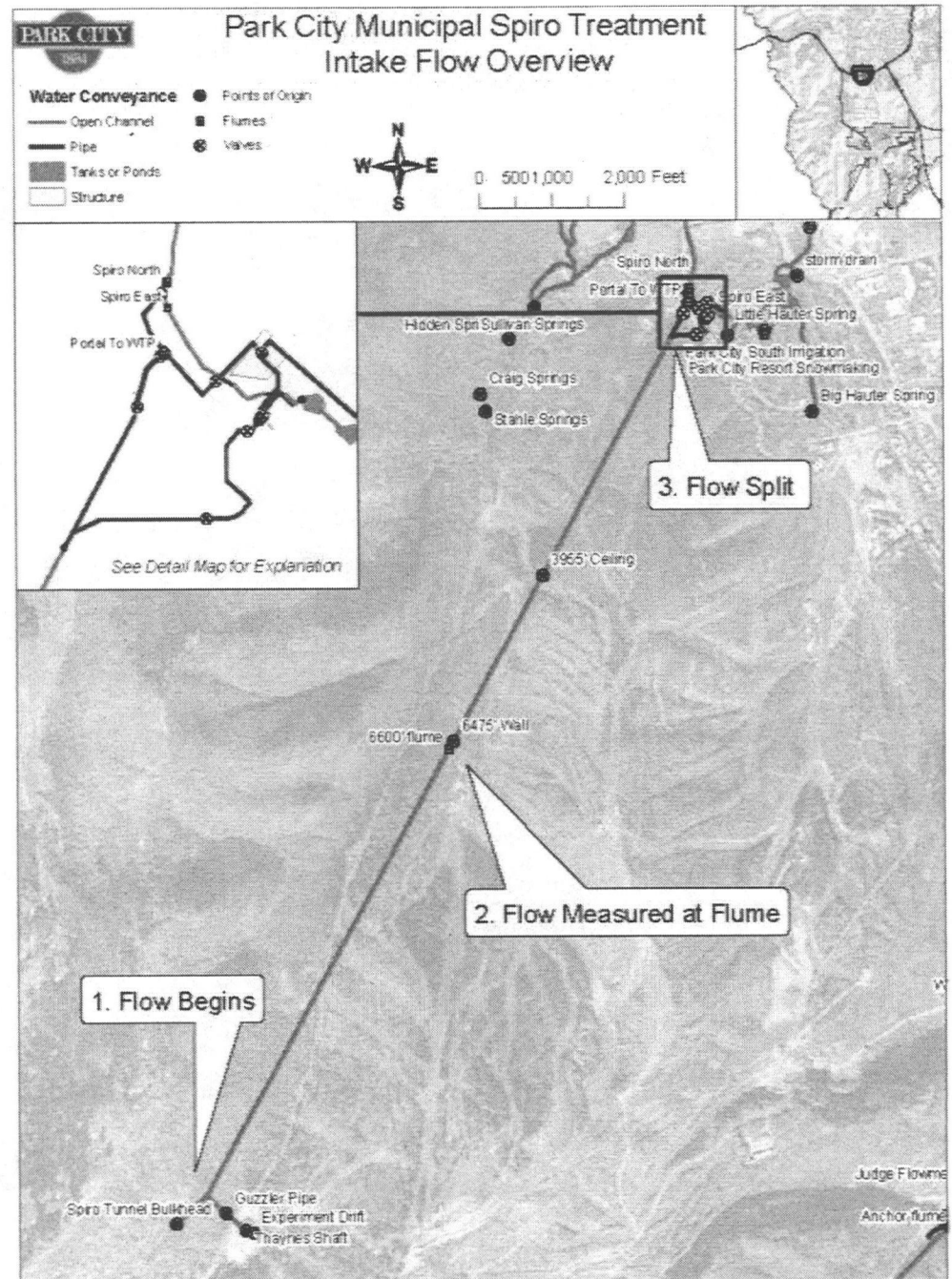


PARK CITY

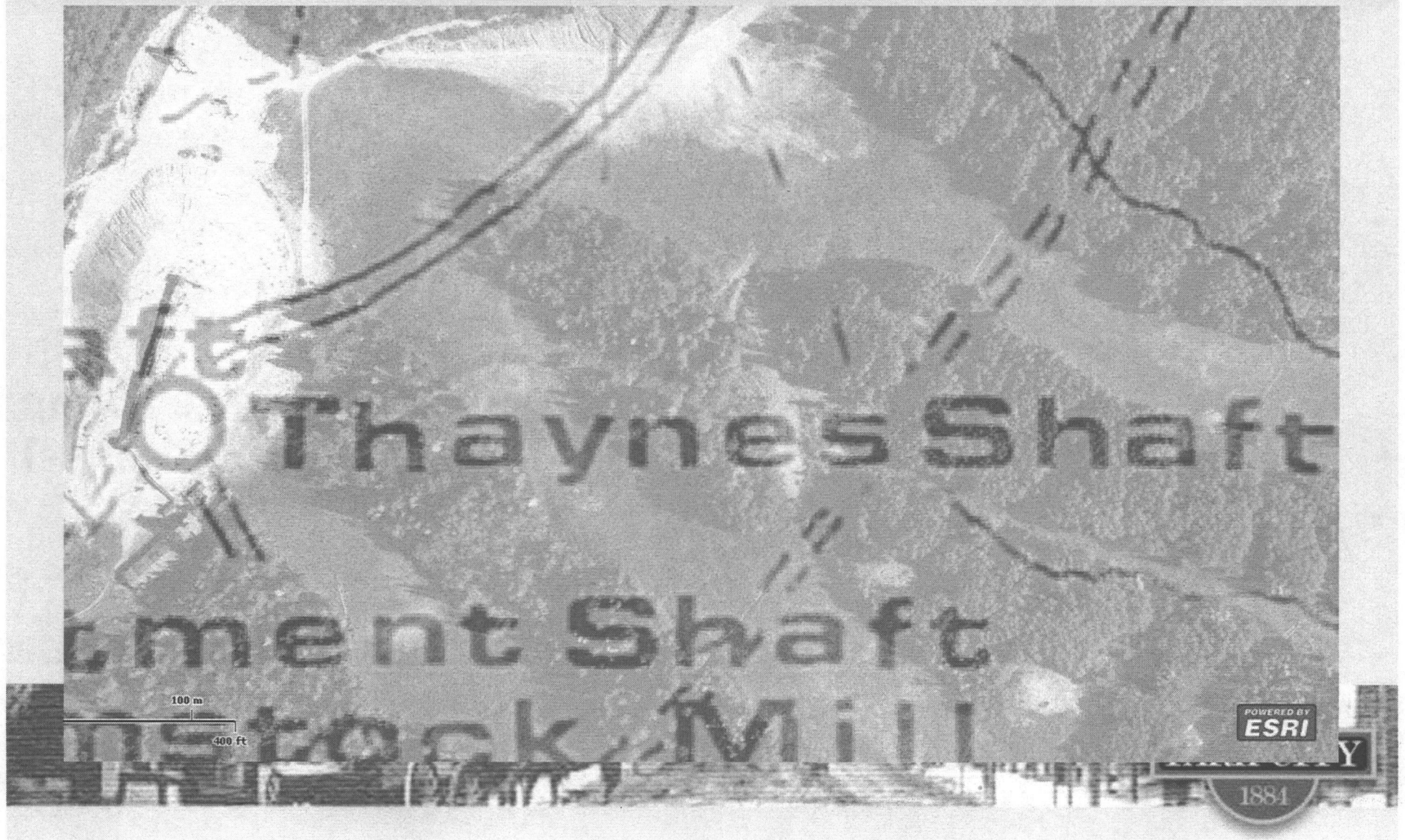
1884

Spiro Tunnel

Issues similar to the Judge also occur at the Spiro.



California/Comstock IA

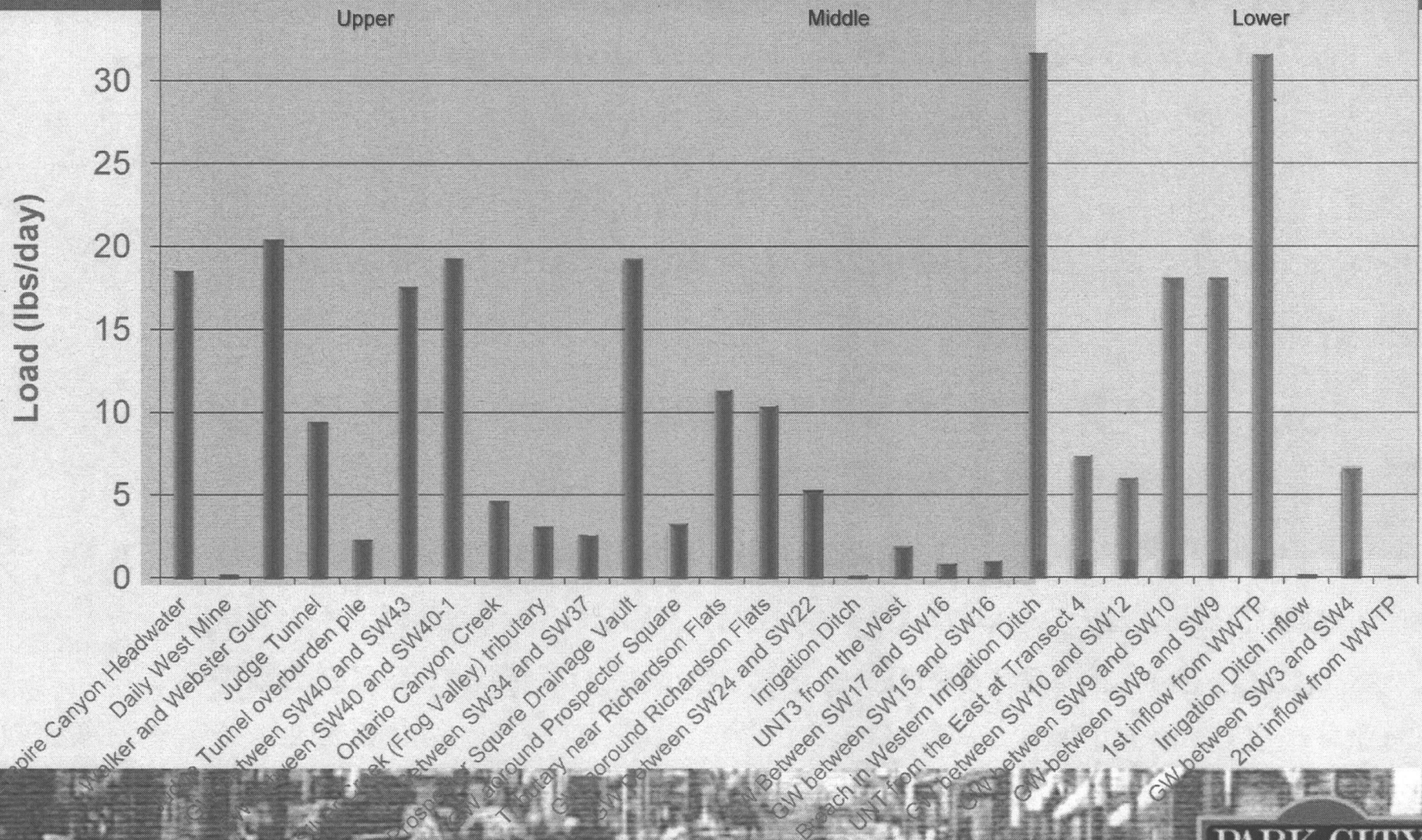


EPA/Tetra Tech Water 2008-2010

- Zinc and Cadmium loads higher in Upper than Middle Reach, particularly Empire Canyon and Walker and Webster sources
- No data for Woodside Gulch (Silver King)
- *“Significant sources throughout entire Silver Creek watershed”* Slide 28
- *“Control of upper reach sources necessary to meet existing water quality targets”* Slide 28



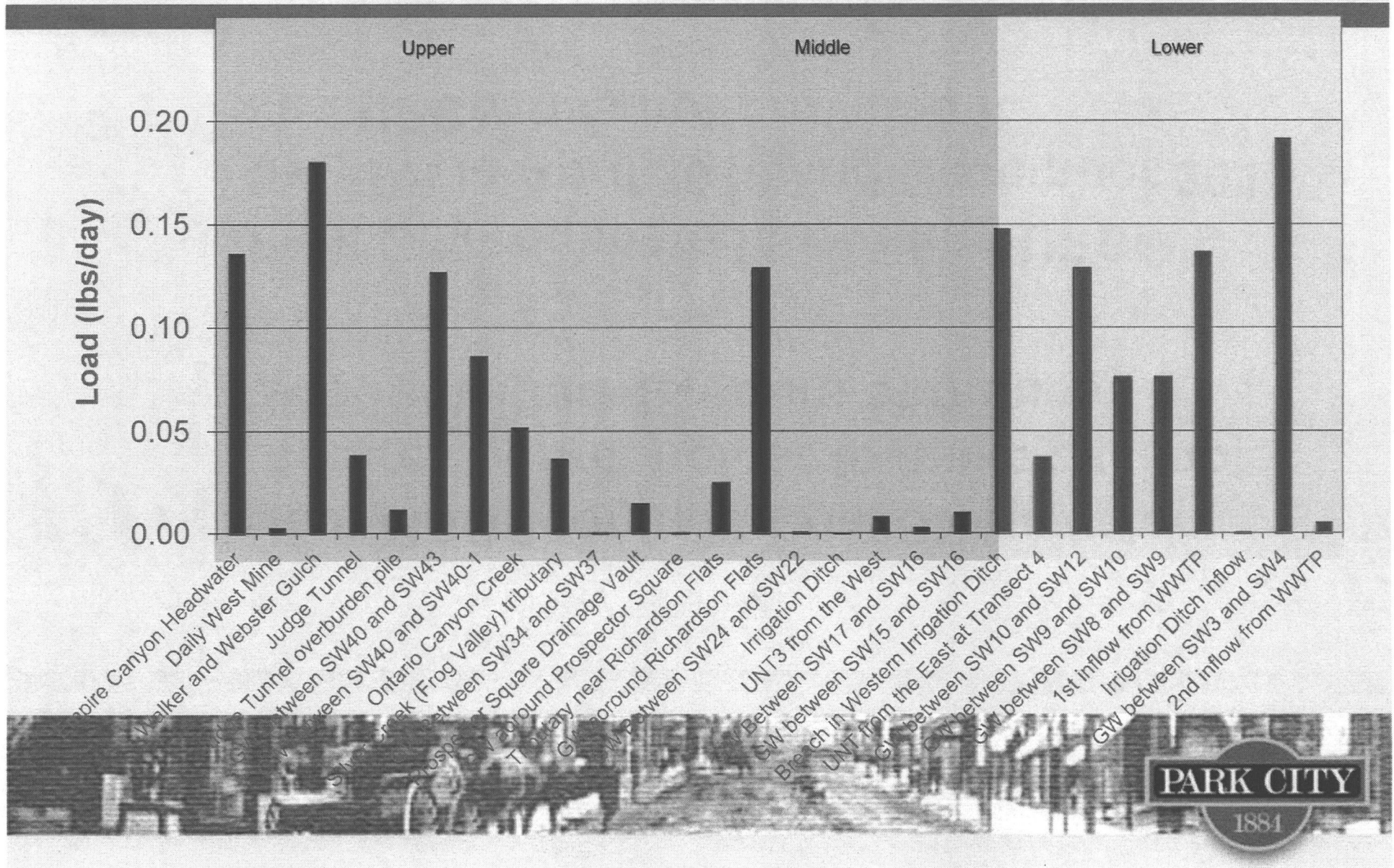
Silver Creek Zinc Daily Load



PARK CITY

1884

Silver Creek Cadmium Daily Load



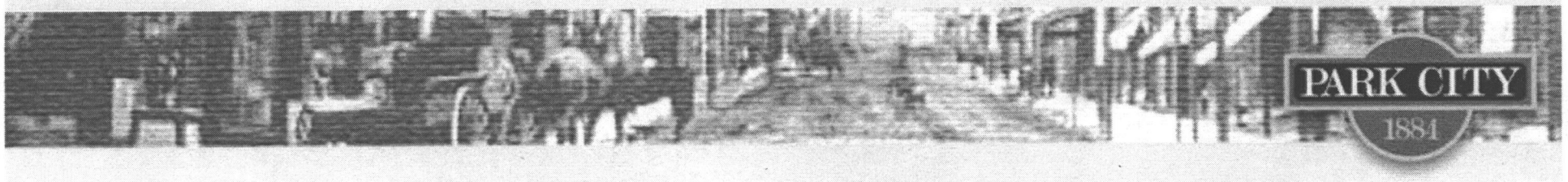
Where's the SWPPP?

- **Utah MSGP for Industrial Stormwater requires permit holder to make available SWPPP within 48 hours of request.**
- **Park City requested in writing UPCM's SWPPP in April 2010 and December 2010 and UPCM has not provided it.**



EPA's Current Position?

- ***“EPA has identified, investigated and resolved the issues it can resolve in [Upper Silver Creek], including liability issues. No further work is contemplated at this time.” January 6, 2011***
- **UAO**



The “Gag Order”

This prohibition shall include, by way of example and not by way of limitation, actions filed in a court of law, administrative or municipal undertakings or actions, representations made to federal, state or local government authorities, and statements made to the media or members of the general public

Draft Agreement ¶ 71

- **Cannot bind a future City Council this way**
- **Bad public policy to prevent a city from informing residents and reporting to regulatory agencies**

